

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-8 and 10-15 are pending in the present application. Claims 1 and 8 are amended by the present amendment.

In the outstanding Office Action, Claims 1-2, 4-6, and 8-13 were rejected under 35 U.S.C. § 103(a) as unpatentable over Furness (U.S. Patent No. 5,596,339) in view of Scarampi (WO 90/02453); and Claims 3, 7, and 14 were rejected under 35 U.S.C. § 103(a) as unpatentable over Furness, Scarampi and Kiefl (U.S. Patent No. 5,382,970).

In light of the rejections of the claims on the merits, independent Claims 1 and 8 are amended to more clearly recite that picture regions of a single picture that had been viewed by the user are transmitted to a central unit. The claim amendments find support in the specification, for example, at page 2, lines 16-18, at page 6, lines 22-29, and at page 7 lines 15-31. No new matter has been added.

Briefly recapitulating, independent Claim 1 is directed to a method for capturing and processing viewing data. Viewing data is transmitted via a telecommunications network to a central unit. The video data is projected directly on the retina of the user by a virtual retinal display device. During projection of the video data, data about the lines of sight of the user relative to the viewed video data are determined by determining current eye positions of the user by an eye position detection module of the display device. The viewing data is transmitted to the central unit with at least the data on the lines of sight relative to the viewed video data and the central unit determines, based on the viewing data, picture regions of a single picture, which is part of reproduced video data that have been viewed by the user. Independent Claim 8 has been amended to recite similar features as Claim 1.

Thus, the claimed method is capable to identify parts of a picture that is viewed by a viewer and to transmit these parts to a central unit to perform various functions, as described in the specification at page 2, second full paragraph.

Turning to the applied art, Furness teaches a virtual retinal display that projects light directly onto a user's eye and detects the position of the eye's pupil. The Office Action asserts that Furness discloses at column 7, lines 41-55 the claimed determination of lines of sight of the user during projection of the video data.

However, Furness discloses at column 7, line 41 to column 8, line 2, only that in an embodiment shown in Figure 3, the position of pupil 26 is determined by an eye tracker 106 and communicated to a video controller 42. Based on this position information, a microprocessor 44 positions a “visible window” on the video information stored in the frame buffer 40.” The frame buffer 40 can store video information representing a panoramic view and the position of the “visible window determines which part of the view the user is to **perceive**” (Emphasis added).

In other words, the eye tracker 106 of Furness determines the position of the pupil **prior to** projecting the video data to the user in order to match the “visible window” of the panoramic view onto the pupil of the viewer.

Thus, Applicants respectfully submit that Furness does not teach or suggest that **during** projection of the video data, data about the lines of sight of the user relative to the **viewed** video data are determined by determining current eye positions of the user by an eye position detection module of the display device, as required by Claims 1 and 8. On the contrary, Furness discloses determining the current eye positions **prior to** projecting the video data **to be viewed** by the viewer.

In addition, Furness does not teach or suggest that picture regions of a single reproduced picture are determined by a central unit.

The Office Action acknowledges that Furness does not teach or suggest transmitting viewing data to a central unit and the central unit determining picture regions. To correct these deficiencies, the Office Action relies on Scarampi. Assuming arguendo that Scarampi discloses transmitting viewing data to a central unit, Applicants respectfully submit that Scarampi does not teach or suggest (i) determining lines of sight of a viewer during projection of video data, and (ii) determining in a central unit picture regions of a single picture viewed by the user, as discussed next.

Scarampi discloses a monitoring unit 40 that monitors television viewing acts of a viewer 20. Scarampi discloses in the paragraph bridging pages 13 and 14 that it is possible to monitor “the actual eye positions” of the viewer and also discloses at page 15, lines 8-17, that it is known to detect eye movement.

However, there is no teaching or suggestion in Scarampi that lines of sight of a viewer are determined during watching video data and picture regions of a single picture viewed by the user are determined by a central unit, as required by amended Claims 1 and 8.

The Office Action relies on Kiefl for teaching viewing data stored in a central unit. However, Kiefl does not cure the deficiencies noted above with regard to Furness and Scarampi.

Accordingly, it is respectfully submitted that independent Claims 1 and 8 and each of the claims depending therefrom patentably distinguish over Furness, Scarampi, and Kiefl, either alone or in combination.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

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Remus F. Fetea, Ph.D.
Registration No. 59,140